

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v -

FRANKLIN RODRIGUEZ,
a/k/a "Spanish Guy,"

Defendant.

USDC SDNY
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: INFORMATION

: S2 07 Cr. 711 (LAP)

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COUNT ONE

(Conspiracy to Commit Identification Document Fraud)

The United States Attorney charges:

1. From in or about January 2005 through in or about August 2007, in the Southern District of New York and elsewhere, FRANKLIN RODRIGUEZ a/k/a "Spanish Guy," the defendant, and others known and unknown, unlawfully, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit violations of Title 18, United States Code Section 1028.

The Objects of the Conspiracy

2. It was a part and an object of the conspiracy that FRANKLIN RODRIGUEZ a/k/a "Spanish Guy," the defendant, and others known and unknown, unlawfully, willfully and knowingly would and did produce, in and affecting interstate and foreign commerce, without lawful authority, identification documents, authentication features, and false identification documents, in violation of Title 18, United States Code, Section 1028(a)(1),

(b) (1) (A), (c) (1) and (c) (3) (A).

3. It was a part and an object of the conspiracy that the defendants, and others known and unknown, unlawfully, willfully and knowingly would and did transfer, possess and use, in and affecting interstate and foreign commerce, without lawful authority, means of identification of other persons with intent to commit, and to aid and abet, and in connection with, unlawful activity that constitutes a violation of Federal law, and that constitutes a felony under applicable State and local laws, and as a result, would and did obtain things of value aggregating \$1,000 and more during a one-year period, in violation of Title 18, United States Code, Section 1028(a)(7), (b)(1)(A) & (D), and (c) (3) (A).

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about 2006, FRANKLIN RODRIGUEZ a/k/a "Spanish Guy," the defendant, gave a passport-sized photograph of himself to a co-conspirator not named herein, to be used in the production of a false identification document.

b. In or about May 2006, RODRIGUEZ used a false identification document to engage in the fraudulent purchase of

real estate located in New Jersey.

c. On or about February 9, 2007, a co-conspirator not named herein ("CC-1"), who worked in a bank located in Manhattan, complained to another co-conspirator not named herein ("CC-2") that a fraudulent identification document given to him had an error in it.

(Title 18, United States Code, Section 1028(f).)

COUNT TWO

(Conspiracy to Commit Bank Fraud)

The United States Attorney further charges:

5. From in or about January 2005, up to and including in or about August 2007, in the Southern District of New York and elsewhere, FRANKLIN RODRIGUEZ a/k/a "Spanish Guy," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit bank fraud, as that term is defined in Title 18, United States Code, Section 1344.

6. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about 2005, FRANKLIN RODRIGUEZ a/k/a "Spanish Guy," the defendant, fraudulently opened a bank account at a Citibank branch under a false name.

b. On or about May 26, 2006, while using a false identity, RODRIGUEZ posed as a real estate purchaser and mortgage recipient.

c. On or about February 17, 2005, co-conspirators not named herein withdrew money in Manhattan from a Citibank account in the name of a fraudulent identity.

(Title 18, United States Code, Section 1349.)

COUNT THREE

(Conspiracy to Transport and Sell Stolen Vehicles)

The United States Attorney further Charges:

7. From at least in or about October 2006, up to and including in or about August 2007, in the Southern District of New York and elsewhere, FRANKLIN RODRIGUEZ a/k/a "Spanish Guy," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Sections 2312 and 2313.

8. It was a part and an object of the conspiracy that FRANKLIN RODRIGUEZ, a/k/a "Spanish Guy," the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did transport in interstate and foreign commerce motor vehicles, knowing the same to have been stolen, in violation of Title 18, United States Code, Section 2312.

9. It was a further part and an object of the conspiracy that FRANKLIN RODRIGUEZ, a/k/a "Spanish Guy," the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did receive, possess, conceal, store, barter, sell, and dispose of motor vehicles, which had crossed a State and United States boundary, after being stolen, knowing the same to have been stolen, in violation of Title 18, United States Code, Section 2313.

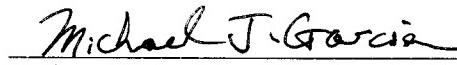
Overt Acts

10. In furtherance of this conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

(a) On or about February 9, 2007, FRANKLIN RODRIGUEZ, a/k/a "Spanish Guy," the defendant and a co-conspirator not named herein caused a blue Hummer to be stolen from Queens, New York.

(b) On or about February 12, 2007, RODRIGUEZ drove the Hummer from Queens to Manhattan, via the Triboro Bridge and the FDR Drive, to a garage where the license plates and vehicle identification number on the stolen Hummer were changed.

(Title 18, United States Code, Section 371.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Defendant.

INFORMATION

S2 07 Cr. 711 (LAP)

(Title 18, United States Code, Sections 371, 1028,
and 1349.)

Michael J. Garcia
United States Attorney.

July 1, 2008
Indictment and Superseded Information in
accordance with Plaintiff's Filing Consent to Proceed Before a USMT on
Indictment in Attention Dkt. # 711 previously Sammy Sanchez.
At the arraignment held before present Deft. pleads guilty As
indicated in the Indictment (LAP) Mag. Judge FREEMAN recommends
that Plaintiff accept the proffered plea to the 3 counts of the
Indictment in S207 Cr 711 (LAP) PSJ ordered SENTENCE - CTRL
affirmative for the Plaintiff detained.

FREEMAN, USM